



Mayor, Gary K Hodnett

Vice Mayor, Shirley Barksdale-Hill

Town Council 2022

E. Collin Adams, Jr.

Donney Johnson

Kathy Keesee

Gary Poindexter

C. Luke Perdieu

Mr. Michael Blackstock
Blackstock Properties LLC
106 Knollwood Drive
Hurt, VA 24563

2/16/2022

Re: Denial Request for Certification of a lawful Non-Conforming Use
301 Prospect Road
Tax Parcel 255-19-0225
Zoning District R-1 Residential

Dear Mr. Blackstock:

This is to notify you that after the hearing at its February 15, 2022 meeting the Hurt Town Council declined to certify your use of the above-captioned property as a construction office as a lawful Non-Conforming Use.

Such commercial use is not permitted in the R-1 district. Consequently, your current use of the property for commercial purposes is unlawful.

After the hearing the Planning Commission found that no evidence had been produced to establish the lawful Non-Conforming Use and recommended that you apply to have the property rezoned to C-1 commercial and for a Special Use Permit as required by the zoning ordinance.

If you so apply within 7 days of the date of this letter no enforcement action will be taken while your application is pending. Any unrefunded application fees which you paid with your earlier applications for rezoning and Special Use Permit will apply to these filings if timely made.

Section 4-133 of the Hurt Town Code requires that a public hearing be held in order to receive public comment on the application and that notice of said hearing be published in the local newspaper as well as sent to all adjoining landowners and landowners across the street by Certified Mail.

The code states that the cost of all required notices shall be taxed to the applicant. The cost of publishing the notice in the Altavista Journal is \$226.87. It appears that there are 7 landowners to be notified and each certified letter costs \$7.00 for a total of \$49.00.

Thus, a total of \$275.87 will be due upon filing of your application for rezoning and special use permit. Neither will be processed in the absence of this payment.

Lastly, on January 4, 2022, subsequent to your original filing on December 15, 2021, the Town Code was amended to require the posting of a sign on the property to notify the public of the proposed zoning action. Since you had filed prior to January 4, this cost will not be charged to you.

Thank you very much.

Gary Hodnett, Mayor
Town of Hurt
434-259-1735
gary.hodnett@townofhurtva.gov

Town of Hurt, Virginia
Application for Special Use Permit

Date of Application 2-23-22Name of Applicant/Property Owner Blackstock PropertiesProperty Address and Description 301 Prospect Rd Hurt VA 24563Block Building w/ Vinyl Siding - Shingle Roof Paved ParkingZoning District (choose from: R-1, R-2, R-3, C-1, I-1) R-1

Applicant hereby requests the Town Council of Hurt, Virginia grant a Special Use Permit for the above referenced property for the proposed use(s) and reason(s) as follows (attach separate sheet if needed):

Blackstock Construction Headquarters - Storage of Materials, Site Parking
for Commercial Vehicles - Office Space

***In submitting this application and by signature below, the applicant understands and agrees to the following procedure:**

- A plat of the above referenced property, along with a \$50 application fee (payable to Town of Hurt) must be submitted to the Town Clerk's office for consideration by the Zoning Administrator.
- The Zoning Administrator will then refer the request to the Hurt Planning & Zoning Commission, which will in turn review the request and make a recommendation to Hurt Town Council for approval, denial, or approval with stated conditions.
- Town Council will consider the Planning & Zoning Commission's recommendation, hold a public hearing to receive public feedback, and then make the final decision as to whether the requested Special Use Permit is approved as presented, denied, or approved with stated conditions.

Signature of Applicant [Signature]

Office Use Only

Officials	Date	Action Taken
Zoning Administrator	_____	_____
Planning Commission	_____	_____
Town Council	_____	_____



Town of Hurt, Virginia Application for Zoning Change

1

This form must be completed in full and submitted to the Zoning Administrator before the request for a zoning change can be referred to the Planning Commission and Town Council for consideration.

Request is hereby made by the principal officer of applicant or undersigned owner of the below referenced property for consideration of a zoning change as provided for in Hurt Town Code § 4-131, as amended.

Name of Applicant(s) Blackstock Properties (owner) Blackstock Construction (occupant)

Mailing Address 106 Knollwood Drive

Phone 434-941-6514

Email Address blackstock31965@yahoo.com

Property Owner(s) (if different from applicant) Blackstock Properties

Address and Contact Information (if different from applicant) _____

Property Address or Location 301 Prospect Rd Hurt VA 24563

Parcel ID# 255-19-0225

Size of Property: Approx 1 Acre

Current Zoning District (check one): ☒ R-1 ☐ R-2 ☐ R-3 ☐ C-1 ☐ I-1

Requested Change in Zoning: ☐ R-1 ☐ R-2 ☐ R-3 ☒ C-1 ☐ I-1

Please describe the proposed use under the requested zoning change: Blackstock Construction
will occupy the Building for Storage & Parking Commercial Vehicles

Please demonstrate how the proposed change and use will be in harmony with the purposes of the adjoining and adjacent district(s) – use separate sheet if extra space is needed:

301 Prospect has been occupied as Business Use for over 60 years
There will be a more restrictive Use of the Property than
the Service Station in 1971 when Zoning took Place.



(continued on reverse side)

Please explain how there will be no undue adverse impacts on the surrounding neighborhood or adjacent zoning district in terms of public health, safety, or general welfare, and what measures will be taken to achieve such goals (attach separate sheet if additional space is needed):

The Property will be updated & maintained to Quality Standards-
There will be no Fuel Tanks, other than Propane Tank @ on Property

Please list the adjoining property owners on the attachment.

Applicant Signature M. D. P. P. P.

Date 2-23-22

STATE OF VIRGINIA

CITY/COUNTY OF Pittsylvania, to-wit:

Sworn to and subscribed before me in my presence this 23 day of February, in my City and State aforesaid by Kelsie Sligh, Notary Public. My commission expires 04/30/2025



The following items must accompany this application:

- ✓ Written consent of the owner or agent of the owner (if applicant is not owner). If the applicant is the contract purchaser, then written consent of the owner is required).
- ✓ One copy of a site plan for the property showing the lot, structures, site improvements, parking areas and spaces, and any other information necessary to determine the ability to meet Zoning Ordinance standards for site development, use and design, and physical compatibility with the neighborhood or adjacent zoning district.
- ✓ Vicinity map (may be included on the site plan)
- ✓ Fee of \$300 for zoning change application, to be applied toward costs of advertising, administrative expenses, postage, and processing of this application. Please make check or money order payable to Town of Hurt.



Web: townofhurtva.gov Facebook: Town of Hurt, Virginia
 533 Pocket Road, PO Box 760, Hurt, VA 24563
 Office: 434-608-0554 Fax: 434-205-1177
 Form Z-4 (Revised 01-04-2022)

ADJACENT PROPERTY OWNERS

Adjacent property owners are mailed a notice of the request. Please provide each owner's name and mailing address plus zip code for every Property adjacent to the site and directly across from any public right-of-way adjoining the site. Names and addresses are available in the County Tax Commissioners office in the Courthouse.

Petition Parcel # 255-19-0225

* Occupant
NAME: OSCAR HUNT ^{owner} Shelton Homes + Rental

TAX MAP NUMBER: 2555-18-4906

ADDRESS: 302 Prospect Rd Hunt VA. 24563

^{owner} 1784 Grif Rd Hunt VA. 24563

NAME: Kerrie Hudson

TAX MAP NUMBER: 2555-19-4023

ADDRESS: 300 Prospect Rd Hunt VA. 24563

NAME: BARRY & SUSAN JOHNSON

TAX MAP NUMBER: 2555-19-5340

ADDRESS: 1413 Textwood Cove
Charlottesville VA. 22911

NAME: ELLA GOODMAN

TAX MAP NUMBER: 2555-09-7386

ADDRESS: 107 Tanyard Rd. Hunt
VA. 24563

NAME: WYATT HAMLETT

TAX MAP NUMBER: 2555-09-9186

ADDRESS: 303 Prospect Rd Hunt VA
24563

NAME: NICKLAS DOWSEL

TAX MAP NUMBER: 2555-19-2175

ADDRESS: 302 Prospect Rd
Hunt VA. 24563

NAME: _____
TAX MAP NUMBER: _____

ADDRESS: _____

NAME: _____
TAX MAP NUMBER: _____

ADDRESS: _____

NAME: _____
TAX MAP NUMBER: _____

ADDRESS: _____

NAME: _____
TAX MAP NUMBER: _____

ADDRESS: _____

NAME: _____
TAX MAP NUMBER: _____

ADDRESS: _____

STATE OF VIRGINIA

CITY/COUNTY OF Pittsylvania to-wit:

The foregoing Petition was acknowledged to before me this 2 day of 23
by February



Kelsie Sligh
Notary Public

My commission expires 04/30/2025

NOTICE OF PROPOSED ZONING ACTION

OWNER: Blackstock Properties LLC

TELEPHONE NUMBER: 434-941-6514

PROPERTY ADDRESS: 301 Prospect Rd Hurt VA. 24563

PRESENT ZONING: R-1

PROPOSED ACTION: R-1 to C-1

PROPOSED USE OF PROPERTY: Blackstock Construction Headquarters

ADDITIONAL INFORMATION: CALL HURT TOWN HALL 434-608-0554

representative of the Commission and/or the governing body to give written notice to the owner, owners or their agent of any parcel involved.

E. At the time an application is filed with the town, a sign shall be posted on the property by the applicant notifying interested persons that a zoning action involving the property is pending. Where the zoning action has been initiated by the planning commission or by the town council, the sign shall be posted on the property by the town. Such sign shall be located along the edge of the right-of-way of a public street or road, upon which such business or proposed use fronts. The sign shall be placed on the property at 500-foot intervals. If the property in question has a 500-foot or less frontage, one sign shall suffice. Where property does not front on an existing right-of-way, such sign shall be placed within the right-of-way of the nearest street or road.

F. After enactment of any such plan, ordinance or amendment, further publication thereof shall not be required.

Part 3 – Advertising and Notice Requirements for All Zoning-related Activities

Sec. 4-133. Advertising and Notice Requirements for All Zoning-related Activities

A. Plans or ordinances or amendments thereof, recommended or adopted under this chapter need not be advertised in full, but may be advertised by reference. Every such advertisement shall contain a reference to the place or places within the town where copies of the proposed plans, ordinances or amendments may be examined.

B. The Commission shall not recommend nor the governing body adopt any plan, ordinance or amendment until notice of intention so to do has been published once a week for two successive weeks in some newspaper published or having general circulation in the Town provided, that such notice for both the Commission and the governing body may be published concurrently. Such notice shall specify the time and place of hearing at which persons affected may appear and present their views, not less than six days nor more than twenty-one days after the second advertisement shall appear in such newspaper. The Commission and governing body may hold a joint public hearing after public notice as set forth hereinabove. If such joint hearing is held, the public notice as set forth above need be given only by the governing body. The term two successive weeks as used in this paragraph shall mean that such notice shall be published at least twice in such newspaper with not less than six days elapsing between the first and second publication.

C. When a proposed amendment of the zoning ordinance involves a change in the zoning classification of twenty-five or less parcels of land, then, in addition to the advertising as above required, written notice shall be given by the commission and/or the governing body at least five days before the hearing to the owner or owners, their agent or occupant, of each parcel involved, and to the owners, their agent or the occupant, of all abutting property and property immediately across the street or road from the property affected. Notice sent by registered or certified mail to the last known address of such owner as shown on the current real estate tax assessment books shall be deemed adequate compliance with this requirement. If the hearing is continued, notice shall be remailed. Costs of any notice required under this chapter shall be taxed to the applicant.

D. When a proposed amendment of the zoning ordinance involves a change in the zoning map classification of more than 25 but less than 500 parcels of land, then, in addition to the advertising as above required, written notice shall be given by the Commission and/or the governing body at least five days before the hearing to the owner, owners, or their agent of each parcel of land involved. One notice sent by first class mail to the last known address of such owner as shown on the current real estate tax assessment books shall be deemed adequate compliance with this requirement provided that a representative of the Commission and/or the governing body shall make affidavit that such mailing have been made and file such affidavit with the papers in the case. Nothing in this paragraph shall be construed as to invalidate any subsequently adopted amendment or ordinance because of the inadvertent failure by the

VIRGINIA: BEFORE THE TOWN COUNCIL OF THE TOWN OF HURT

A 1 1/4 acre parcel of land, generally located with the Town of Hurt, and designated as parcel # 255-19-025 in the Pittsylvania County tax records.

PEITITON

TO THE HONORABLE SUPERVISORS OF PITTSYLVANIA COUNTY

WHEREAS, your Petitioner Blackstock Properties / Blackstock Construction files this petition pursuant to Section 4-131 of the Zoning Ordinance of the Town of Hurt and in accordance with the Code of Virginia 1950, as amended and would show the following:

1. The Petitioner is the owner of the above-referenced parcel of land, or is the contract purchaser filing with the owner's consent.
2. The property is presently zoned as R-1 district under the provisions of the Zoning Ordinance of the Town of Hurt.
3. Your petitioner now desires to have this property rezoned as C-1 district for the purpose of Blackstock Construction.
4. Your petitioner states that no member of the Planning Commission or Council has any interest in such property, individually, by ownership of stock in a corporation owning such property, or interest in a partnership owning such property and no member of the immediate household of any member of the Commission or Council has any such interest.

WHEREFORE, your Petitioner respectfully requests that the Zoning Ordinance of the Town of Hurt be amended and that the above-referenced parcel of land be rezoned as set out in Number 3.

FURTHER, Your Petitioner respectfully requests that this petition be referred to by the Zoning Administrator to the Planning Commission for the Town of Hurt for its consideration and recommendation.

Respectfully submitted,

PAUL BLUM

Petitioner